

GARRITY, GRAHAM, FAVETTA & FLINN

A Professional Corporation

One Lackawanna Plaza

P.O. Box 4205

Montclair, NJ 07042

Telephone: 973-509-7500

Attorneys for Defendant, Anthony M. Cicalese, Esq.

Our File No. 240.02982/TDF

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

WALSH SECURITIES, INC., : Action No.: CV 97-3496 (WGB)

Plaintiff, : Hon. William G. Bassler

vs. :

CRISTO PROPERTY MANAGEMENT, :  
LTD., a/k/a G.J.L. LIMITED, :  
DEK HOMES OF NEW JERSEY, INC., :  
OAKWOOD PROPERTIES, INC., :  
NATIONAL HOME FUNDING, INC., :  
CAPITAL ASSETS PROPERTY :  
MANAGEMENT & INVESTMENT CO., :  
INC., CAPITAL ASSETS PROPERTY :  
MANAGEMENT, L.L.C., WILLIAM :  
KANE, GARY GRIESER, ROBERT :  
SKOWRENSKI, II, RICHARD :  
CALANNI, RICHARD DiBENEDETTO, :  
JAMES R. BROWN, THOMAS BRODO, :  
ROLAND PIERSON, STANLEY YACKER :  
ESQ., MICHAEL ALFIERI, ESQ., :  
RICHARD PEPSNY, ESQ., ANTHONY :  
M. CICALESSE, ESQ., LAWRENCE :  
CUZZI, ANTHONY D'APOLITO, DAP :  
CONSULTING, INC., COMMONWEALTH :  
LAND TITLE INSURANCE CO., :  
NATIONS TITLE INSURANCE OF NEW :  
YORK, INC., FIDELITY NATIONAL :  
NATIONAL TITLE INSURANCE CO. :  
OF NEW YORK, COASTAL TITLE :  
AGENCY, STEWART TITLE GUARANTY :  
COMPANY, IRENE DIFEO, DONNA :  
PEPSNY, WEICHERT REALTORS, :  
AND VECCHIO REALTY, INC., :  
d/b/a MURPHY REALTY BETTER :  
HOMES and GARDENS, :

Defendants. :

And :

COMMONWEALTH LAND TITLE INSURANCE :

**NOTICE OF MOTION  
TO  
WITHDRAW AS COUNSEL**

COMPANY, :  
 :  
 Defendant/Third Party Plaintiff, :  
 :  
 v. :  
 :  
 ROBERT WALSH and ELIZABETH ANN :  
 DeMOLA, :  
 :  
 Third Party Defendants. :  
 :  
 \_\_\_\_\_ :

TO: Clerk, United States District Court  
District of New Jersey  
M.L. King, Jr. Federal Bldg. and U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07102

Honorable Madeline Cox Arleo, U.S.M.J.  
M.L. King, Jr. Federal Bldg. and U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07102

Anthony M. Cicalese, Esq.  
467 Long Hill Drive  
Short Hills, NJ 07078

Anthony M. Cicalese, Esq.  
275 Ocean Avenue  
Long Branch, NJ

Anthony Cicalese  
74C Manatiales de Belen  
200 Mtrs Norte de igleseis de Ascen  
San Antonio de Belen  
Heredia, CR

**VIA E-MAIL [centaur2@idsca.com](mailto:centaur2@idsca.com) and [amc714@acicalese.com](mailto:amc714@acicalese.com)**

**PLEASE TAKE NOTICE THAT** on November 4, 2005 at two o'clock in the p.m., or as soon thereafter as counsel may be heard, in Room 2060, at the Martin Luther King, Jr. Federal Building and United States Court House, in Newark, New Jersey, the undersigned will bring the above motion on for hearing.

**PLEASE TAKE NOTICE THAT** Thomas D. Flinn, Esq. of the firm of

Garritty, Graham, Favetta & Flinn, P.C., attorneys of record for the Defendant, Anthony M. Cicalese, Esq., in the above-captioned matter, moves the Court for permission to withdraw their appearance, whereby an Answer to the Amended Complaint was filed on April 27, 2005 as attorney of record for Anthony M. Cicalese, Esq., for all Counts of plaintiff's Complaint with the exception of Count Six (negligence). This Motion is based on the grounds that this firm has been instructed to file this Motion by Garden State Indemnity, the insurance carrier for Anthony M. Cicalese, Esq.

GARRITY, GRAHAM, FAVETTA & FLINN  
Attorneys for Defendant,  
Anthony M. Cicalese, Esq.

BY: S/THOMAS D. FLINN

THOMAS D. FLINN (1849)

Dated: October 12, 2005

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 11<sup>th</sup> day of October, 2005, a copy of the foregoing NOTICE OF MOTION TO WITHDRAW AS COUNSEL was served by electron filing upon counsel listed on the Notice of Electronic Filing, and/or by first class, postage prepaid, addressed to the following:

Robert A. Magnanini, Esq.  
Boies, Schiller & Flexner, LLP  
150 JFK Parkway - 4th Floor  
Short Hills, NJ 07078  
Attorneys for Plaintiff, Walsh Securities, Inc.

Richard Calanni, Pro Se  
One Old Farm Road  
Tinton Falls, NJ 07724  
Attorneys for Defendant, Richard Calanni

Richard DiBenedetto, Pro Se  
153 Stephens Lane  
Matawan, NJ 07430  
Attorneys for Defendant, Richard DiBenedetto, Pro Se

Lawrence S. Lustberg, Esq./James I. O'Hern, Esq.  
Gibbons, Del Deo, Dolan, Griffinger & Vecchione, Esqs.  
One Riverfront Plaza  
Newark, NJ 07102  
Attorneys for Defendant, Stanley Yacker, Esq.

Mark W. Cantanzaro, Esq.  
Law Offices of Mark W. Cantanzaro  
Blason IV - Suite 208  
513 South Lenola Road  
Moorestown, NJ 08057  
Attorneys for Defendant, Richard Pepsney

Michael Schottland, Esq.  
Schottland, Manning, Rosen, Caliendo & Munson  
36 West Main Street  
P.O. Box 6578  
Freehold, NJ 07728  
Attorneys for Defendant, National Home Funding, Inc. and  
Robert Skowrenski, II

Joseph V. Sorrentino, Esq.  
Law Offices of Joseph V. Sorrentino  
70 Hudson Street  
Hoboken, NJ 07030  
Attorneys for Defendants, William J. Kane, Cristo Property  
Management Ltd., a/k/a GJL Ltd., Oakwood  
Properties, Inc., and DEK Homes of N.J., Inc.

James G. Aaron, Esq.  
Ansell, Zaro, Grimm & Aaron  
1500 Lawrence Avenue  
CN 7807  
Ocean, NJ 07712  
Attorneys for Defendant, Coastal Title Co.

Theodore Daunno, Esq.  
Law Offices of Theodore Daunno  
1033 Clifton Avenue  
Clifton, NJ 07103  
Attorneys for

Defendant, Lawrence J. Cuzzi

David R. Kott, Esq.  
McCarter & English, Esqs.  
Four Gateway Center  
100 Mulberry Street  
Post Office Box 652  
Newark, NJ 07102  
Attorneys for

Defendant/Third Party Plaintiff, Commonwealth  
Land Title Insurance Company

Anthony Argiropoulos, Esq.  
Fox, Rothschild, O'Brien & Frankel, LLP  
P.O. Box 5231  
Princeton, NJ 08543-5231  
Attorneys for

Defendants, Fidelity National Title Insurance  
and Nations Title Insurance

Edward Hayes, Esq.  
Fox, Rothschild, O'Brien & Frankel  
2000 Market Street - 10<sup>th</sup> Floor  
Philadelphia, PA 19103  
Attorneys for

Fidelity National Title Insurance and Nations  
Title Insurance

Martin R. McGowan, Jr., Esq.  
Methfessel & Werbel, Esqs.  
3 Ethel Road  
P.O. Box 3012  
Edison, NJ 08818  
Attorneys for

Defendant, Coastal Title Agency

Thomas Brodo, Pro Se  
139 B Fort Lee Road  
Teaneck, NJ 07666  
Attorneys for

Defendant, Thomas Brodo, Pro Se

Andrew L. Indeck, Esq.  
Scarinci & Hollenbeck, L.L.C.  
1100 Valley Brook Avenue  
P.O. Box 790  
Lyndhurst, NJ 07071-0790  
Attorneys for

Defendant, Garden State Indemnity Company  
(legal Malpractice carrier for defendant  
Michael Alfieri)

Pasquale Menna, Esq.  
Kauff & Menna  
170 Broad Street  
P.O. Box 762  
Red Bank, NJ 07701  
Attorneys for

Defendant, Ronald J. Pierson

Edward C. Bertucio, Jr., Esq.  
Hobbie, Corrigan, Bertucio & Tashjy, PC  
125 Wyckoff Road  
Eatontown, NJ 07724  
Attorneys for

Defendant, Michael Alfieri, Esq.

Maura W. Sommer, Esq./John B. McCusker, Esq.  
McCusker, Anselmi, Rosen & Carvelli, Esqs.  
127 Main Street  
Chatham, NJ 07928  
Attorneys for

Defendant, Weichert Realtors

August W. Fischer  
Law Offices of August W. Fischer  
53 Pequot Road  
Ringwood, NJ 07456  
Attorneys for

Defendant, Richard Calanni

Ronald M. Kleinberg, Esq./Richard A. Finkel, Esq.  
Meissner, Kleinberg & Finkel, LLP  
275 Madison Avenue - Suite 1000  
New York, NY 10016  
Attorneys for

Defendants, Cristo Property Management, LTD,  
DEK Homes of NJ, Inc., Oakwood Properties,  
Inc., and William J. Kane

Jerome A. Ballarotto, Esq.  
Law Offices of Jerome A. Ballarotto  
143 White Horse Avenue  
Trenton, NJ 08610  
Attorneys for

Defendant, Richard Pepsny

James R. Brown, Pro Se  
1089 Cedar Avenue  
Union, NJ 07083  
Attorneys for

Defendant, James R. Brown

Sir/Madam  
Capital Assets Property Management, L.L.C.  
10 West Bergen Place  
Red Bank, NJ 07701  
Attorneys for

Defendant, Capital Assets Property Management,  
L.L.C.

Irene DiFeo, Pro Se  
5 Leann Court  
Old Bridge, NJ 08857  
Attorneys for

Defendant, Irene DiFeo

Anthony D'Apolito, Pro Se  
909 Woodland Avenue  
Wall Township, NJ 07719  
Attorneys for

Defendant, Anthony D'Apolito, Pro Se

Robert J. Reilly, III, Esq.  
Reilly, Supple & Wischusen, LLC  
Murray Hill Office Center  
571 Central Avenue  
New Providence, NJ 07974  
Attorneys for

Defendant, Michael Aliferi, Esq.  
On Count Six only of Third Amended Complaint

S/THOMAS D. FLINN  
THOMAS D. FLINN